

6-15-05

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6**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/367,361
Filing Date	August 11, 1999
First Named Inventor	Burkhard Schlütermann
Group Art unit	1615
Examiner Name	JAMES M. SPEAR
Attorney Docket Number	4-21233A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0134
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

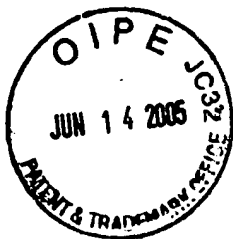
Name (Print/Type)	Edward J. Wilusz, Jr.	Registration No. (Attorney/Agent)	Reg. No. 52,370 Attorney for Applicant
Signature		Date	14 June 2005

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CASE 4-21233A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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June 14, 2005
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1615

BURKHARD SCHLÜTERMANN

Examiner: JAMES M. SPEAR

APPLICATION NO: 09/367,361

FILED: AUGUST 11, 1999

FOR: OXACARBAZEPINE FILM-COATED TABLETS

MS: Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

RESPONSE REQUIRED UNDER 37 C.F.R. § 1.114 (RCE)

AMENDMENT:

Sir:

In the above identified application, for which the Applicant has received a notice of allowance, the Applicant files with these papers a Request for Continued Examination in order to have the claims submitted in this Amendment considered. The Applicant includes with these papers a Request for Continued Examination Transmittal and the authorizes the Examiner to charge Account No. 19-0134 in the name of Novartis Corporation for any fees which may be applicable to this filing.

Amendment of the claims begins on page 2. Remarks begin on page 4.